

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD STANTON (as trustee for Ashley :
Stanton) on behalf of himself and all others simi- :
larly situated, : 08 CV 3054 (LAP)

Plaintiff, :

vs. : RULE 7.1 STATEMENT

MERRILL LYNCH & CO., INC. and :
MERRILL LYNCH, PIERCE, FENNER & :
SMITH INCORPORATED, :

Defendants. :
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Defendant Merrill Lynch, Pierce, Fenner & Smith Incorporated states that it is a wholly-owned subsidiary of Merrill Lynch & Co., Inc. Defendant Merrill Lynch & Co., Inc. states that it is a publicly held company whose shares are traded on the New York Stock Exchange and there is no publicly held corporation that owns 10% or more of its stock.

Dated: New York, New York
April 1, 2008

/s/ Jay B. Kasner
Jay B. Kasner (jkasner@skadden.com)
Scott D. Musoff (smusoff@skadden.com)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Four Times Square
New York, New York 10036
(212) 735-3000

Attorneys for Defendants
Merrill Lynch & Co., Inc. and
Merrill Lynch, Pierce, Fenner & Smith
Incorporated